

## **REMARKS**

This Amendment is submitted in response to the Office Action dated August 9, 2007, having a shortened statutory period set to expire November 9, 2007 and extended to December 9, 2007.

### **I. IN THE SPECIFICATION/ABSTRACT**

The courtesies extended by the Examiner to the undersigned attorney during the recent telephonic conference are greatly appreciated. During that conference, the Examiner and the undersigned attorney discussed the Examiner's action and specifically the objection to the drawings. During that conference, the Examiner agreed that new drawings would not be required and that the paragraph noting objection to the drawings was inadvertently entered by the Examiner. No agreement was reached with respect to the allowability of the claims.

The basis for the objection to the drawings noted by the Examiner was a typographical error within the specification which has been corrected by this Amendment. Consequently, the Examiner's objection to the drawings is believed to be overcome.

The Examiner has objected to the Abstract believing it is not clearly directed to the claimed subject matter. Applicant has amended the Abstract and submitted a new title for the invention which is believed to be clearly descriptive of the invention to which the claims are directed. Consequently, the Examiner's objection to the Abstract and Title are believed to be overcome.

### **II. CLAIMS REJECTIONS UNDER 35 U.S.C. § 112**

The Examiner has rejected Claims 1-9 under 35 U.S.C. § 112, second paragraph, believing those claims are indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the Examiner notes what is believed to be a disparity between the recited preamble of each claim and the body of that claim. By the Amendment submitted herewith, the preamble of Claims 1-8 has been amended and claim 9 has been cancelled. Consequently, the Examiner's rejection of Claims 1-8 under 35 U.S.C. § 112, second paragraph, is believed to be overcome.

### **III. CLAIMS REJECTIONS UNDER 35 U.S.C. § 102(e)**

The Examiner has rejected Claims 1-9 under 35 U.S.C. § 102(e) as being anticipated by Scott et al., United States Patent Application Publication Number 2004/0073507 A1. That rejection is respectfully traversed insofar as it might be applied to Claims 1-8, as amended herein.

Scott et al. disclose a method for computer implemented management of international procurement, such as via an electronic reverse auction. The Examiner has generally cited pages 4-8 of Scott et al. for that purpose.

Applicant has carefully examined Scott et al. and notes that Scott et al. completely fail to show or suggest in any way the specifying “to each of said limited number of possible suppliers an identity of all of said limited number of possible suppliers...” after the issuance of invitations to a bidder’s conference, as expressly required by the claims of the present application.

Applicant’s attorney has carefully scrutinized Scott et al. in detail, beyond the portions cited by the Examiner, and fails to find any suggestion for the specifying to each of the possible suppliers an identity of all of said limited number of possible suppliers as required by the claim. Indeed, at paragraph 109 on pgs. 13 and 14, Scott et al. note that an existing supplier may be notified regarding a new supplier “including information regarding the new supplier’s winning bid...” indicating that selective existing suppliers may be notified of the existence, and presumably the identity, of new suppliers only after the new supplier has submitted a winning bid. Consequently, Applicant urges that Scott et al. fails to anticipate, show or suggest in any way the invention set forth within Claims 1-8, as amended herein, and withdrawal of the Examiner’s rejection is respectfully requested.

Further, should the Examiner desire to sustain this rejection or issue a similar rejection, the Examiner’s compliance with 37 C.F.R. §1.104(c)(2) is respectfully requested.

### **IV. CONCLUSION**

Having amended the now pending claims according to the recommendations of the Examiner, Applicants respectfully request a Notice of Allowance for all pending claims.

A request for an extension of time and authorization to charge the **DILLON & YUDELL DEPOSIT ACCOUNT NO. 50-3083** of the Applicant's attorney for the fee associated therewith is submitted herewith. No additional fee is believed to be required; however, in the event such a fee is required please charge that fee to **DILLON & YUDELL DEPOSIT ACCOUNT NO. 50-3083**.

Respectfully submitted,

Andrew J. Dillon  
Reg. No. 29,634  
DILLON & YUDELL LLP  
8911 North Capital of Texas Highway, Suite 2110  
Austin, Texas 78759  
512.343.6116

ATTORNEY FOR APPLICANT(S)